

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICARDO COPANTITLA, DIEGO DIAZ DE	:
LA VEGA, IGNACIO GARCIA, FREDDY	:
GUACHUN, JULIO LANTIGUA, MANUEL	:
LIZANDRO, MARTIN LOPEZ, SEBASTIAN	:
LOPEZ, AUGUSTIN MALDONADO, HENRY	:
MATUTE, JOELITO MELENDEZ,	:
AUSSENCIO RAMIREZ, AND JOSE LUIS	:
VARGAS,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
FISKARDO ESTIATORIO, INC. d/b/a	:
THALASSA RESTAURANT, GEORGE	:
MAKRIS, JULIA MAKRIS, and STEVE	:
MAKRIS,	:
	:
Defendants.	:
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Case No. 09-cv-1608 (RJH)

NOTICE OF MOTION

PLEASE TAKE NOTICE that Defendants Fiskardo Estiatorio, Inc. d/b/a Thalassa Restaurant, George Makris, Julia Makris, and Steve Makris (collectively, “defendants”) shall move before the Honorable Richard J. Holwell, U.S.D.J., on a date and time to be set by this Court, pursuant to Federal Rule of Civil Procedure 45(c)(3) for an Order quashing with prejudice the subpoenas *ad testificandum* and *duces tecum* dated December 7, 2009 that have been directed towards non-parties Fantis Foods, Inc. and Fantis Transfer Corp. Inc..

PLEASE TAKE FURTHER NOTICE that at the return date of this motion, defendants shall rely upon: (1) Memorandum of Law in Support of Motion To Quash the Subpoenas *Ad Testificandum and Duces Tecum*; (2) Affirmation of Stephanie L. Aranyos in Support of Motion to Quash; (3) Affirmation of David W. Field, (4) all other pleadings and papers of record; and (5) any oral argument.

Respectfully submitted,

LOWENSTEIN SANDLER PC

By: /s/ Stephanie L. Aranyos

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Attorneys for Defendants Fiskardo Estiatorio, Inc.
d/b/a Thalassa Restaurant, George Makris, Julia
Makris, and Steve Makris

Dated: New York, New York
December 17, 2009

TO: David A. Colodny, Esq.
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